

The Court therefore **ADOPTS** the Magistrate Judge's R&R (Dkt. No. 25) and, for the reasons set forth therein, Defendant's Motion to Dismiss (Dkt. No. 12) is **GRANTED IN PART** and **DENIED IN PART** as follows:

- Plaintiff's class action claims and cause of action under 47 U.S.C. § 227(b) are **DISMISSED**.
- Plaintiff's remaining claims will proceed without prejudice to Defendant's moving for summary judgment on an evidentiary record.

It is so **ORDERED**.

SIGNED this 21 day of March, 2025.



ORLANDO L. GARCIA
United States District Judge